



#4
PATENT
Atty. Dkt. No. 2551.042

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Charles C. Freeny, Jr.)
Serial No.: 09/607,227) Group No. 2756
Filed: 06/30/2000)
For: **AUTOMATED DATA DELIVERY SYSTEMS**)

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Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

**List of Sections Forming Part of This
Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. [X] Preliminary Statements
2. [X] Forms PTO/SB/08A and 08B (formerly Form PTO-1449)
3. [X] Statement as to Information Not Found in Patents or Publications

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited on March 28, 2001 with the United States Postal Service as First Class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C., 20231.

Marc A. Brockhaus
Name of applicant, assignee or
registered representative

Marc Brockhaus
Signature

Applicant: Charles C. Freeny, Jr.
Title: **AUTOMATED DATA DELIVERY SYSTEMS**
Serial No.: 09/607,227
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- 4. ☒ Copies of Listed Information Items Accompanying this Statement
- 5. ☒ Identification of Person(s) Making this Information Disclosure Statement

Section 1. Preliminary Statements

Applicant submits herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

- ☒ A completed Form PTO/SB/08A and/or Form PTO/SB/08B is attached hereto.
- ☐ A completed Form PTO/SB/08A and/or Form PTO/SB/08B is not attached hereto.

Applicant: Charles C. Freeny, Jr.
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Serial No.: 09/607,227
Atty. Dkt. No.: 2551.042

**Section 3. Statements as to Information Not Found in Patents or Publications
(Information not listed in PTO Form PTO/SB/08A)**

There are many systems developed to deliver items from one source or a distribution point to another location including data and information distributions systems. More notable of the prior art delivery systems are the Government Mail systems, Private Mail Systems such as Fed EX and UPS and in more recent years the Electronic Fax machines (such as Patent No. 4,837,797) and the many E-Mail services evolving on the Internet and Intranets.

Also, the scheduled broadcast networks, such as Radio, television, telephone, and wireless networks that connect security and other automated equipment to computer systems have been around for years. The scheduled broadcast networks deliver data.

These legacy scheduled data delivery systems, such as Broadcast and cable TV systems, were designed for specialized equipment and delivered audio/video or data to either a public audience with special receiver equipment or a very limited audience with special equipment. For example, stock market quotes have been delivered to special pieces of equipment tuned into a local FM radio station and recently a company called "Netpliance" built a special piece of equipment that plugs into a persons phone line (like a fax machine) and delivers e-mail and other such information several times a day.

Over the last five years many of the legacy scheduled delivery systems converted over to Internet storage and delivery systems. More recently, public broadcast station content has been converted to Internet protocol for delivery to person's computers that tune into a Website broadcast station or Cable network such as CNN.com or CNN Channel 34 for example.

Even more recently, Internet Service Providers such as AOL have offered Instant message service that allows a new message to be delivered in real time to another persons computer that is connected to their service rather than just sending the message to the individuals E-Mail Box. That is, the Instant message service keeps track of who is signed up for the service and will send a message directly between several people signed up for the instant message service when they are connected to the service at the same time. This is kind of like a special party line chat room. However, none of these services send messages to a users database automatically so that the user can check their messages at anytime without having to connect up to some service provider to get what

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Atty. Dkt. No.: 2551.042

is in their service provider mail box. Currently, the network data services deliver only to a users E-Mail or Storage box located on the Internet or Intranet servers, or to a user's communication device, such as a cell phone or beeper.

The communication message deliver services (Beepers, Faxes, E-mail, etc.) that send messages or phone numbers have been around for years but only deliver to the user's communication device (or mail boxes stored on a remote server). The user has little or no involvement in determining what is delivered or how the data is delivered. For example in Los Angeles, a user can subscribe to a service that beeps the user's communication device when a live car chase is on TV. The service will beep you with the channel information for a fixed amount of money per month. The service can also beep the user's communication device when the user's stock has changed price. There are no automated data delivery services on the Internet that allows a person to sign up for tailor made data deliver (like a special magazine subscription) and then have the tailor made data delivered to ones computer and placed in a special place chosen by the subscriber on a scheduled basis.

Although there are now millions of databases available on the Internet, users still have to sort through the databases and select what the user's want to download or buy or watch the data in real time. Adding to the difficulties, the data storage services store the data in a single format (normally in one of the accepted browser formats) and users must figure out how to retrieve the data and convert the data to a format that fits their needs. In other words, the user must build a special data fetch engine for each source of data that the user needs at the user's computer.

Prior to developing the system disclosed in this application the inventor inquired to Microsoft, AOL, Yahoo, Amazon and several other Internet service providers regarding data delivery service. All inquiries were responded to in a negative sense to say they did not offer such services. In summary there are no services that deliver data to a users computer on a scheduled basis and in the format dictated by the user. In particular there are no equivalent of the physical delivery services (e.g. the US Mail delivering individual mail to a persons house instead of their post office box where they have to go get the mail) on the networks and especially the Internet. The Internet only has data warehouses, store fronts or Mail Boxes for the consumer to purchase items or go get their mail, they do not have automated data delivery services other than real time data download when a consumer purchases some data or the instant message service described earlier.

Applicant: Charles C. Freeny, Jr.
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Serial No.: 09/607,227
Atty. Dkt. No.: 2551.042

Note the Internet/Intranet network systems themselves maintain IP address databases that must be maintained and synchronized. The IP address databases are maintained and synchronized by the routers and server synchronization programs and do not offer data delivery to Users. That is, the IP address databases are maintained and synchronized by automatic host-to-host database manager programs residing on the same network system (such as the many internal computer engines that keep local computer routines synchronized automatically to the correct time or other common platform parameters as required).

Even more amazing is the fact that application programs built for users that have been around for years do not have data delivery services built in as standard features so that other applications running on the same platform (either a local computer or a global computer network) can get data delivered, as requested, when requested, and in the format requested. The corollary to that fact is that none of the application programs on the market have automatic data reception features to automatically greet and verify the validity of the "postal service" bringing the "data mail" or automatically checks the validity of the "data mail" being delivered or has the capability for both type validity checks to be made automatically. Applications such as Lotus, Excel, WordPerfect, MS Word, Access, and even more important the newer useful programs such as Quicken notebook and DacEasy or Peachtree Accounting programs or TurboTax have file or record Import/Export features that require the data to conform to some ODBC standard or the application file or record communication standards built into the programs. The most useful of these programs have "manual tools" to help import selected portions of files (records e.g. MS Word lets users "manually merge" address data records from one program database into a letter or a label generating program of another application). These export/import features were incorporated into application programs many years ago because of competition. The available methods require the user to build a special program to retrieve the data (a fetch engine) or to deliver the data (a delivery engine) each time the user wants to transfer data from one program to another as done with the "tools macros" available in some of the more popular application programs.

These tool macros still require the user to learn how to use the tool and follow the instructions each time the user wants to import or export a file or record. Even though Windows software has provided menus designed to help the programmer accomplish file and record transfer tasks, Windows programs do not have an application module for scheduled specific data delivery or data reception built into their programs where the user specifies the format for example.

Applicant: Charles C. Freeny, Jr.
Title: **AUTOMATED DATA DELIVERY SYSTEMS**
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Report generators are prevalent in accounting and other application programs. The report generators operate as a special data base application program building a special database using a special report generating fetch engine but not a delivery engine.) The report generators make it easy for user computer developers to specify the data or record they want (not specify a file but specify a piece of a file or record), in the form they want it (ASCII, html, excel, etc.), placed where they want the data to go, and to retrieve the data automatically, when they want it delivered. The report generator requires the user or the user's program to actuate the report generator each time data is to be determined.

There are some programs currently built to synchronize files (bring all the files up to the most current version) used for portable computers, PDA's and client computers hooked up to networks. Also there are a few companion application programs (applications developed by the same developer) such as Quicken Books and Turbo Tax programs developed by the same company that will let the user choose to import some data from one of the programs to the other. These programs import (data predetermined by the programmer not the user) from one program to another (e.g. from the Quicken Books database to the Turbo Tax program database) and let the user decide if the user wants to use the imported data.

Also there are many programs now that will let you retrieve updates with the latest software versions if you sign up for such a service, especially computer operating system programs running on Windows Platforms. Such programs are a convenience to the software developer but hardly a convenience for the software owner. These version update programs detect your current program version and provide an update automatically. The version update programs are just another form of synchronization programs not data delivery services. For example, AOL provides their program version updates when you try to log off from their service. The need for true data delivery services was recently discovered when the team building the first user computers (see patent pending) were spending a lot of time developing "fetch engines". The Fetch Engines (FE) are required to keep the User Computers (UC) special databases current automatically according to predetermined schedules.

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Atty. Dkt. No.: 2551.042

Search engines used by websites for mining data for a user exist. Such search engines are referred to in the art as agents spiders or bots, for example. In addition, combinations of search engine and file transfer programs exist for use with downloading music from websites on the internet. Two such programs are provided under the tradenames Napister and Guntella.

Section 4. Copies of Listed Information Items Accompanying this Statement

Legible copies of all items listed in Form PTO/SB/08A accompany this information disclosure statement.

Section 5. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT

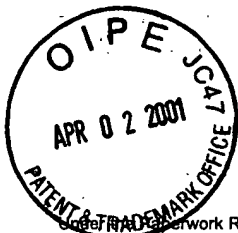
The person making this statement is the attorney who signs below on the basis of the information:

- ☒ supplied by the inventor(s)
- ☐ supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).
- ☒ in the attorney's file

Respectfully submitted,



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Attorney for Applicant



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DUNLAP & CODDING P.C.
PTO/SB/21 (08-00)
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/607,227	
	Filing Date	06/30/2000	
	First Named Inventor	Charles C. Freeny, Jr.	
	Group Art Unit	2756	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	11	Attorney Docket Number	2551.042

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ENCLOSURES (check all that apply)				
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): SEE REMARKS		
<table border="1"><tr><td>Remarks</td><td>1. Information Disclosure Statement (7 pgs) 2. Information Disclosure Statement by Applicant PTO/SB/08A & 8B - w/ copy of cited references (2 pgs) 3. Fee Transmittal for FY 2001 PTO/SB/ 17 (1 pg) 4. Transmittal Form PTO/SB/21 (1 pg) 5. Authorization to charge required fees and credit any overpayment to Deposit Account 6. Self-addressed, stamped return receipt postcard 7. 8.</td></tr></table>			Remarks	1. Information Disclosure Statement (7 pgs) 2. Information Disclosure Statement by Applicant PTO/SB/08A & 8B - w/ copy of cited references (2 pgs) 3. Fee Transmittal for FY 2001 PTO/SB/ 17 (1 pg) 4. Transmittal Form PTO/SB/21 (1 pg) 5. Authorization to charge required fees and credit any overpayment to Deposit Account 6. Self-addressed, stamped return receipt postcard 7. 8.
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Dunlap, Coddington & Rogers, P.C., 9400 North Broadway, Suite 420, Oklahoma City, OK 73114 Marc A. Brockhaus, Reg. No. 40,923
Signature	<i>Marc Brockhaus</i>
Date	3-28-2001

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail or U.S. Express mail no. _____ in an envelope addressed to the address below on this date: 03/28/2001			
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Signature	<i>Marc Brockhaus</i>	Date	3-28-2001



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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 0

Complete if Known

Application Number 09/607,227

Filing Date 06/30/2000

First Named Inventor Charles C. Freeny, Jr.

Examiner Name Unknown

Group Art Unit 2756

Attorney Docket No. 2551.042

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METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 04-1700

Deposit Account Name Dunlap, Coddling & Rogers, P.C.

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$) 0

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	= 0
Multiple Dependent	-3** =	X	= 0

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0

SUBMITTED BY

Name (Print/Type)	Marc A. Brockhaus	Registration No. (Attorney/Agent)	40,923	Telephone	(405) 478-5344
Signature	Marc Brockhaus	Date	03/28/2001		

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